

Assembly Bill No. 1816

CHAPTER 377

An act to add Section 21100.3 to the Water Code, relating to irrigation districts.

[Approved by Governor September 16, 2016. Filed with
Secretary of State September 16, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1816, Dahle. Tulelake Irrigation District.

The Irrigation District Law provides for the formation of irrigation districts with prescribed powers. The district law generally requires a director on the board of an irrigation district to be a voter, landowner, and resident in the division of the district that the director represents.

This bill would authorize the board of directors of the Tulelake Irrigation District to adopt a resolution that authorizes a person to be a director if the person is a landowner or a legal representative of a landowner within the division of the district, resides within the district or within one mile of any district boundary, and is a registered voter in California. The bill would authorize the registered voters in the district to request and require that a director of the district be a voter, landowner, and resident in the division of the district that the director represents, as prescribed.

The people of the State of California do enact as follows:

SECTION 1. Section 21100.3 is added to the Water Code, to read:

21100.3. (a) This section only applies to the Tulelake Irrigation District. For the purpose of this section, the following terms have the following meanings:

(1) "Corporation" means any legal entity, public or private, properly organized under the laws of the state in which it was created, that is allowed to own real property in California.

(2) "District" means the Tulelake Irrigation District, originally formed as Tule Lake Irrigation District.

(3) "Legal representative" means the person authorized to act for purposes of this section for or on behalf of a corporation, estate, or trust holding title to land within the district.

(4) "Residency area" means land within the district or land within one mile of any district boundary.

(b) Notwithstanding subdivision (a) of Section 21100, the board of directors of the district may adopt a resolution that authorizes a person to be a director if the person, at the time of his or her nomination or

appointment and through his or her entire term, meets all of the following requirements:

- (1) Is a registered voter in California.
 - (2) Resides within the residency area.
 - (3) Is an owner of real property within the division he or she represents or the owner's legal representative.
- (c) Notwithstanding the adoption of a resolution pursuant to subdivision (b), the registered voters in the district may request, in writing, that all of the directors who are appointed or elected subsequent to the receipt of the request be required to meet all of the requirements of Section 21100. The request shall be submitted to the board of directors.
- (d) If the board of directors determines that at least 25 percent of the registered voters in the district have signed the request submitted pursuant to subdivision (c), all of the directors who are appointed or elected subsequent to the receipt of the request shall meet all of the requirements of Section 21100.
- (e) Before a legal representative may declare his or her candidacy or be appointed to serve as a director under this section, he or she shall present to the district a copy of his or her authority that shall be kept and filed with the returns of the election or the certificate of appointment.